

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

**FILED
SCRANTON**

MAR 15 2013

BRENTON BOYD NEWSOME,

Plaintiff,

v.

TOBY CATONE,

Defendants.

PER

M. E. P.
DEPUTY CLERK

Civil Action No. 3:12-CV-2475

(Judge Kosik)

ORDER

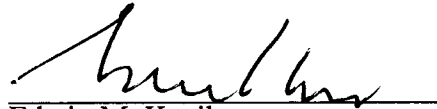
AND NOW, this 15 day of March, 2013, IT APPEARING TO THE COURT
THAT:

1. On December 11, 2012, Plaintiff filed, *pro se*, a Complaint pursuant to 42 U.S.C. § 1983 alleging he suffered an array of maladies, including chest pain, dizziness, constipation, a burning sensation when urinating, episodes of vomiting blood, a swollen abdomen, and infected urethra, pelvic pain, and a "75% loss of pubic hair." (Doc. 1). Plaintiff also filed a motion for leave to proceed *in forma pauperis* the same day (Doc. 2).
2. Magistrate Judge Martin C. Carlson screened the *pro se* Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and issued a Report and Recommendation ("R&R"). (Doc. 9).
3. In the R&R, Magistrate Judge Carlson recommends granting Plaintiff's motion for leave to proceed *in forma pauperis* and dismissing Plaintiff's Complaint as to the Immigration Service, Warden Sabol and Prime Care Medical, Inc. (*Id.*). The R&R also recommended allowing Plaintiff to amend his Complaint to fix the defects noted in the R&R. (*Id.*).
4. Pursuant to Local Rule 72.3, Plaintiff was given fourteen (14) days, after being served with a copy of the Report and Recommendation, to make any objections to the Magistrate Judge's proposed findings, recommendations, or report.
5. Instead of filing objections to the R&R, Plaintiff filed a motion for leave to file an amended complaint. (Doc. 13). Attached to his motion was an amended complaint. (*Id.* at Att. 1).
6. After considering the R&R of the Magistrate Judge and Plaintiff's motion for leave to file an amended complaint, we will adopt the R&R and grant Plaintiff's motion. Plaintiff's Amended Complaint will be remanded to the Magistrate Judge for screening purposes.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (Doc. 9) of Magistrate Judge Carlson is **ADOPTED**;

2. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**;
3. Plaintiff's motion to file an Amended Complaint (Doc. 13) is **GRANTED**; and
4. The Clerk of Court is directed to **REMAND** this case to the Magistrate Judge for further proceedings consistent with this Order.



Edwin M. Kosik
United States District Judge